

TO: OREGON DEPARTMENT OF ADMINISTRATIVE SERVICES
RISK MANAGEMENT
1225 FERRY ST SE U150
SALEM OR 97301

2:16-cv-618-YY

FROM: CLAIMANT

Legal Full Name: Everett James Scott
S.I.D Number: 03508819
Current Mailing Address: 777 Stanton Blvd
Ontario, Oregon 97914

Date of Birth: September 10, 1950
Social Security Number: 544-60-4514
Location of Loss: Two Rivers Correctional Facility (TRCI)
Date of Loss: 2007 thru 2015

Pursuant to provisions of ORS 30.275, claimant gives notice that a claim for damages is or will be asserted against the public body or an officer, employee or agent of the public body. Below is a description of the time, place and circumstances giving rise to the claim.

I am a 100% lifetime disabled service connected Veteran of the Vietnam War suffering from the disease of severe COPD/Emphysema caused by Agent Orange exposure during my tour of duty in Vietnam in 1971. My lungs have a chronically infectious tumor in them that infects over and over, and with each infection kills more lung tissue. Upon admission to DOC in 2007 I informed medical staff of this and my ongoing treatments for such by the Roseburg V.A. hospital. They then x-rayed my lungs(See Ex. #3 ibid). Upon arrival and housing at TRCI, I again told the "now deceased", Dr. Lytle of my lung condition and my VA treatments. Over the next approximate two years I signed 2 release of information forms for TRCI medical to obtain my VA records, which TRCI claimed they never received. (See EX. #5). As my lungs eventually re infected I was placed on Prednisone which my VA records clearly show I'm allergic to, (See Ex. #1 pg 3). I had told Nurse practitioner (NP) Gruenwald, yet she ignored my report. She ordered me Prednisone which led to my being hospitalized, and leaving my left hand crippled. Finally, after I continued to become infected, NP Gruenwald ordered a chest x-ray on 8-16-2010 which clearly shows the tumor (See Ex. #6 pgs. 1 & 2). These findings were ignored in favor of further "Medical indifference". Fed-up with the lies about my VA records and malpractice, I wrote to the VA on December 28, 2010 requesting my records to be sent (See Ex. # 4 top of page). After many more lung infections, continued loss of healthy lung tissue and a near death experience, I was transferred to (SRCI) Snake River Correctional Institution on May 1, 2015. The medical staff at TRCI lied about my records time and time again, and their continued show of medical indifference towards me has caused great irreparable harm and has taken years off of my life due to advancement of my condition without proper care.

TORT CLAIM NOTICE
[ONE OCCURRENCE, PER FORM]

On 6-27-2015, I contacted the VA regarding when records had been requested and sent. (See Ex. #2) then (Ex. #4 top of Page), it clearly shows TRCI lied about requesting and/or receiving my records. With further research (Ex. # 7 & 8) also shows TRCI lied about records which supports their medical indifference towards me and the fact that DOC is unable to properly treat my medical need, therefore necessitates my release. I submit (Ex.# 10) not only for your review but to refute Dr. Shelton's assertion that the VA does not recognize Agent Orange as a cause for COPD. Therefore, I assert claims against the below named medical defendants for Deliberate Medical Indifference in Violation of the 8th & 14th amendments as well as Title II & III of the ADA, 42 U.S.C. sec. 701 and sec. 12181 and sec. 504 of the Rehabilitation Act of 1973, 29 U.S.C. sec. 701. In addition, a state law claim for fraudulent suppression of material fact against each defendant et.al. Due to the recurring medical indifference, neglect, and irreparable damage and harm, I am seek immediate release and 1 million dollars. SEE Grievance # TRCI_2015_01_014; + 014A

It is a claimant's responsibility to prove their allegations. Claimant to provide documentation before Risk Management begins an investigation with Department of Corrections. Provide any kytes, grievances, property inventory and incident reports that would substantiate your claim.

Document Enclosure(s): YES ☒ NO ☐

Claimant Signature: Ernest J. Scott

SID 03508819

Date Signed: 10-10-2015

Name and Addresses of Defendants/State Employees

Linda Gruenwald F.N.P.

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419

Nurse Manager Shannon Johnston

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419

Dr. Ben Norton

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419

[SUPERINTENDENT]

John Myrick

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419

TLC Committee Members

Dr's : Digulio ;Shelton ;Kelly ;Beamer

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419

After certain date

my address will be

M.S. Manager B. Whelan

82911 Beach Access Rd.

Umatilla, Oregon 97882-9419